

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

ASHLEE E. PADGETT, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 3:23-cv-00071-MPB-CSW
	)	
JACOB CARL BUTLER, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**REQUEST FOR ENTRY OF DEFAULT**

The Plaintiffs, Ashlee E. Padgett, Casey A. Boyer and Kristy A. Martin, Sean R. Giolitto and Christopher S. Pentecost, and Haley Kanizar, individually, and as the parents, next friends, and natural guardians of their respective minor children, B.L.H., S.A.B., N.C.G., and D.M.F., and the said minor children, by their respective next friends (collectively, the “Plaintiffs”), by counsel, Siesky Law Firm, PC, and pursuant to FED.R.CIV.P. 55(a), hereby request the Clerk of the Court to enter a default as against Defendant Day-Drian Franklin, on the basis that the record in this case demonstrates that there has been a failure to plead or otherwise defend on the part of said Defendant as required by the Federal Rules of Civil Procedure. In further support of this Request, the Plaintiffs submit herewith an Affidavit in Support of Request for Entry of Default, executed by Douglas K. Briody, one (1) of the attorneys of record for the Plaintiffs in the above-captioned action, which instrument is attached hereto and incorporated by reference herein as Exhibit “A.”

WHEREFORE, the Plaintiffs, Ashlee E. Padgett, Casey A. Boyer and Kristy A. Martin, Sean R. Giolitto and Christopher S. Pentecost, and Haley Kanizar, individually, and as the parents, next friends, and natural guardians of their respective minor children, B.L.H., S.A.B.,

N.C.G., and D.M.F., and the said minor children, by their respective next friends, by counsel, respectfully request the Clerk of the Court to enter a default as against Defendant Day-Drian Franklin in accordance with FED.R.CIV.P. 55(a).

Respectfully submitted,

*s/ Lane C. Siesky*

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Daniel B. Gearhart, Atty No. 24194-49

Douglas K. Briody, *Of Counsel*,

Atty. No. 17883-82

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ATTORNEYS FOR PLAINTIFFS

CERTIFICATE OF SERVICE

I hereby certify that on November 29, 2023, a copy of the foregoing *Request for Entry of Default* was filed electronically. Service of this filing will be made on all ECF-registered counsel by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

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I hereby further certify that on November 29, 2023, a copy of the foregoing *Request for Entry of Default* was served on the following person(s), by depositing same in the United States mail, first-class postage prepaid, and addressed as follows:

Day-Drian Franklin  
741 Bayard Park Dr., Apt A  
Evansville, IN 47713-2303

*s/ Lane C. Siesky*

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